

REMARKS

Reconsideration of the application identified in caption, as amended, pursuant to and consistent with 37 C.F.R. §1.114 and in light of the remarks which follow, are respectfully requested.

At the outset, Applicants note that entry of the Amendment Under 37 C.F.R. §1.116 previously filed on September 14, 2009, is being requested in the Request for Continued Examination concurrently filed with the present submission. Further, in response to the Examiner's comments set forth in the Advisory Action, Applicants provide the following additional remarks.

Flippo et al has been relied on by the Patent Office for disclosing a range of the amount of melam present in its composition. See Official Action dated October 29, 2008, at page 4. That is, the Patent Office has alleged that it would have been obvious to employ the specific melam range disclosed by *Flippo et al*, in the *Schlosser et al* composition. Applicants respectfully but strenuously disagree with such assertion. Upon fair consideration of the different constitution of the *Schlosser et al* and *Flippo et al* compositions, the ordinarily skilled artisan would have recognized that the melam range disclosed by *Flippo et al* is not particularly meaningful in the context of the *Schlosser et al* composition.

In this regard, *Flippo et al* relates to a flame retardant polyamide composition that contains a triazine compound as a flame retardant, and teaches that the requirements of the flame retardant are completely fulfilled if the triazine compound as flame retardant is melam. See paragraphs [0001] and [0004]. *Flippo et al* is concerned with a composition that employs melam as the primary flame retardant, and does not contemplate the use of "more complicated melamine compounds and melamine salts"

therewith. See paragraph [0001]. **Thus, the melam range disclosed by *Flippo et al* is with respect to a composition which employs melam as the primary flame retardant.**

By comparison, the composition of *Schlosser et al* employs various flame retardants including the phosphinate/diphosphinate or polymer thereof of component A and the component B, which is composed of "condensation products of melamine and/or reaction products of melamine with phosphoric acid and/or reaction products of condensation products of melamine with phosphoric acid and/or...a mixture of these." See col. 1, line 46 to col. 2, line 12. The ordinarily skilled artisan would therefore have recognized that the melam range disclosed by *Flippo et al* cannot simply be superimposed over the *Schlosser et al* disclosure. **Such melam range is meaningful to the specific type of composition taught by *Flippo et al* in which melam is the primary flame retardant, not the *Schlosser et al* composition which employs a combination of various flame retardants.**

Thus, upon fair consideration of the applied documents, it would not have been obvious to the ordinarily skilled artisan to combine *Flippo et al* with *Schlosser et al* in the manner suggested by the Patent Office.

Hanabusa et al fails to cure the previously-described deficiencies of *Schlosser et al*. In this regard, *Hanabusa et al* has been relied on by the Patent Office for disclosing a fire retardant composition comprising specific inorganic fillers. See Official Action dated October 29, 2008, at page 6. However, like *Schlosser et al*, *Hanabusa et al* does not disclose or suggest a composition comprising compounds F1 and F2, as well as from 1 to 10% by weight of compound F3, as recited in claim 15.

In order to expedite prosecution, independent claim 15 has been further amended to recite that the composition comprises from 5 to 15% by weight of compound F1; from 2 to 10% by weight of compound F2; from 1 to 10% by weight of compound F3, with respect to the total weight of the composition. Such composition comprising the claimed amounts of compounds F1, F2 and F3 is not exemplified by any of the applied documents. It would not have been obvious to the ordinarily skilled artisan to pick and choose from the various disclosures to arrive at such ranges.

Accordingly, for at least the above reasons, withdrawal of the above §103(a) rejections is respectfully requested.

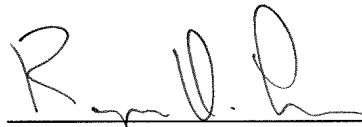
From the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order, and such action is earnestly solicited. If there are any questions concerning this paper or the application in general, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

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